UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/042,344	01/11/2002	Jakke Makela	4208-4044	7513

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EXAMINER
NAWAZ, ASAD M

ART UNIT	PAPER NUMBER
2155	

DATE MAILED: 10/17/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

		Application No.	Applicant(s)
Office Action Summary		10/042,344	MAKELA ET AL.
		Examiner	Art Unit	
		Asad M. Nawaz	2155	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) ☒ Responsive to communication(s) filed on *16 August 2006*.

2a) ☒ This action is **FINAL**.   2b) ☐ This action is non-final.

3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) ☒ Claim(s) *1-4,6-13,29-32 and 34-47* is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5) ☐ Claim(s) _____ is/are allowed.

6) ☒ Claim(s) *1-4,6-13,29-32 and 34-47* is/are rejected.

7) ☐ Claim(s) _____ is/are objected to.

8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9) ☐ The specification is objected to by the Examiner.

10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a) ☐ All   b) ☐ Some * c) ☐ None of:

      1. ☐ Certified copies of the priority documents have been received.

      2. ☐ Certified copies of the priority documents have been received in Application No. _____.

      3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)

2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
    Paper No(s)/Mail Date _____.

4) ☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date _____.

5) ☐ Notice of Informal Patent Application

6) ☐ Other: _____.

DETAILED ACTION

1.   This action is in response to the amendment filed 8/16/06. Claims 1-4, 7-10, 29-

31, 35-39 and 42-45 have been amended. No other claims have been added,

amended, or canceled. Accordingly, claims 1-4, 6-13, 29-32, and 34-47 are pending.

Response to Arguments

2.   Applicant's arguments are moot in view of the new grounds of rejection.

Claim Objections

Claims 1-13 are objected to because of the following informalities: the word "via"

is mistakenly deleted from claim 1. Appropriate correction is required.

Claim Rejections - 35 USC § 103

3.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

4.   Claims 1-3, 6, 10-13, 29-31, 33-34, and 38-47 are rejected under 35

U.S.C. 103(a) as being anticipated by Fishman et al, 6,871,236 (Fishman

hereafter) further in view of Coffman et al (USPGPUB 2003/0005174).

5.   As per claim 1, Fishman teaches as system for portable networking of multi-user

applications, comprising: at least one wireless hand-held user terminal in a plurality of

wireless hand-held user terminals (274, fig. 2., mobile phone is a wireless terminal, and

a portable hand-held user device operating as a wireless server (250, fig. 2., mobile

gateway is functionally equivalent as portable server) including a mass memory module

to store and communicate multi-user application data the plurality of wireless user

terminals (col. 7, lines 29-32., storage devices such as hard disk drive (32, fig. 2) and/or

magnetic disk drive (28, fig. 2) store program data used to communicate with wireless

device) wherein a wireless protocol communicates the same multi-user application data

to the plurality of wireless hand-held user terminals via a wireless link (col. 8, lines 9-10;

wireless gateway server' (250, fig. 2) communicates wirelessly with mobile phone (274,

fig. 2)).

However, Fishman does not explicitly indicate that the protocol communicates

only the same multi-user data.

Coffman et al teaches a user or application developer can specify information

that should be shared only with the shared applications (0075). It would have been

obvious to one of ordinary skill in the art at the time of the invention to incorporate the

teachings of Coffman into those of Fishman to better secure the system. Coffman

proposes that by specifically stating what information is to be shared with which

applications would allow one to choose the proper security and sharing policy.

As to claim 2, Fishman discloses the wireless terminal further

comprises: a user interface that allows the user to request data from said mass memory

module (col. 8, line 10; user interface such as a keypad or screen is an inherent

component in a mobile phone device used to request data from server); a wireless

communication interface for communicating the same multi-user application data

between said portable wireless server and said at least one wireless user terminal (col.

8, line 10; wireless communication interface (antenna Page 4 or wireless interface card)

is an inherent component in a wireless device to communicate with wireless server), a

buffer memory for storing instruction for executing the same multi-user application data

received by said at least one wireless user terminal (col. 8, line 10, storage memory is

an inherent component in a wireless device for storing data received from mobile

server); a processor in communication with said buffer memory for executing instruction

stored in said buffer memory (col. 8, line 10., processor is an inherent component of a

mobile device); and a display for viewing the multi-user application data received from

said portable server (col. 8, line 10; display is an inherent component of a mobile

device).

As to claim 3, Fishman discloses server further comprises: a mass

memory module for storing data used by said at least one wireless user terminal (33,

fig. 1., col. 7, lines 29-30., hard disk stores server data); a processor in communication

with said mass memory module that executes requests for the multi-user application

data by said at least one wireless user terminal and locates the multi-user data in said

mass memory module (col. 7, line 1., processing unit processes all transactions in the

server); and a wireless communication interface for communicating the same multi-user

application data between said mass memory module and said at least one wireless user

terminal (53, fig. 1, col. 7, line 66., mobile gateway has a wireless interface to

communicate with wireless clients).

As to claim 6, Fishman teaches the system comprising an optional

USB plug for connecting said portable wireless server to a personal computer (col. 7,

lines 41-42).

As to claims 10-11, Fishman teaches the wireless user terminal is a cellular

telephone (col. 8, line 10)., wherein said at least one wireless terminal device comprises

a plurality of wireless terminals in communication with and receiving data from said

potable server (col. 8, lines 9-11., col. 11, lines 1-5), second mobile gateway (279, fig.

2) is a wireless client of first mobile gateway (250, fig. 2), all mobile gateways have

plurality of wireless clients).

As to claims 12-13, Fishman teaches mass memory is either a device (29 fig. 2;

col. 7 lines 29-31), mass memory module is magnetic storage device, an optical storage

device, or solid state storage device that is exchangeable (29, fig. 2., col. 7, lines 29-

31., floppy disk drive is removable and/or exchangeable).

As to claim 29, Fishman discloses the method for portable networking of multi-

user application, comprising: storing multi-user application data in the mass memory of

a portable hand-held user device operating as a wireless server (col. 7, lines 29-32; col.

8, lines 9-10), wireless server stores and customizes email data for plurality of wireless

clients); initiating wireless communication between said portable wireless server and at

least one wireless hand-held user terminal device (col. 7, line 64 - col. 8, line 1, col. 8,

lines 9-10., mobile gateway server establishes wireless communications with wireless

clients); transmitting the same multi-user application data stored in said mass memory

to each said wireless user terminal device using a wireless protocol (col. 8, lines 9-1 1 ;

col. 9, lines 26-27,. Wireless server sends customized email data to plurality of wireless clients); and executing of said multi-user data by said wireless user terminal device transmitted by said portable wireless server (col. 11,lines 32-36,. after receiving notification alert data from wireless server, mobile client uses the data to request additional data from server).

Claim 30 contains essentially the same limitations as claim 2 above and is thus rejected under similar rationale.

Claim 31 contains essentially the same limitations as claim 3 above and is thus rejected under similar rationale.

Claim 34 contains essentially the same limitations as claim 6 above and is thus rejected under similar rationale.

Claims 38-39 contain essentially the same limitations as claims 10-11 above and are thus rejected under similar rationale.

Claims 40-41 contain essentially the same limitations as claims 12-13 above and are thus rejected under similar rationale.

Claim 42 contains essentially the same limitations as claim 29 above and is thus rejected under similar rationale.

Claim 43 contains essentially the same limitations as claim 1 above and is thus rejected under similar rationale.

Claim 44 contains essentially the same limitations as claim 2 above and is thus rejected under similar rationale.

Claim 45 contains essentially the same limitations as claim 3 above and is thus rejected under similar rationale.

Claims 46-47 contain essentially the same limitations as claim 2 above and are thus rejected under similar rationale

6.   Claims 7-9 and 35-37 rejected under 35 U.S.C. 103(a) as being unpatentable over Fishman and Coffman et al.

As per claims 7-8, Fishman and Coffman do not explicitly teach the system further includes optional plugs as data and power cables connection between said at least one wireless user terminal and said portable server. Backup or redundancy is well known in the art to provide alternative means for devices to communicate with each other.

Hence, it would have been obvious to one of ordinary skill in the art to provide alternative means for the wireless device to communicate directly to the server via cable when the wireless signal in a building is weak. Also, the alternative power connection to the server allows the mobile device to conserve energy when the device is physically close to the server.

As per claims 9, Fishman and Coffman do not explicitly teach the optional cable for

both power and data transfer between said portable wireless server and said at least one wireless user terminal. It is well known in the art a cable can serve different multi-

purposes. Hence, it would have been obvious to one of ordinary skill in the art to use a

multi-purpose cable to limit the number of cables connected to the server.

Claims 35-36 contain essentially the same limitations as claims 7-8 above and

are thus rejected under similar rationale ·

Claim 37 contains essentially the same limitations as claim 9 above and is thus

rejected under similar rationale.

7.   Claims 4 and 32 rejected under 35 U.S.C. 103(a) as being unpatentable over

Fishman and Coffman in view of Flom et al, US Pub 2001/0054087 (Flom hereafter).

As per claims 4 and 32, Fishman and Coffman do not explicitly teach using

Bluetooth to transmit data by wireless device. Flom teaches a wireless device using

communication means such as Bluetooth to transmit data wirelessly (paragraph 0013).

Hence, it would have been obvious to one of ordinary skill in the art to use Bluetooth

over shod-range wireless communications to save on overhead costs.

Conclusion

8.   Applicant's amendment necessitated the new ground(s) of rejection presented in

this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP

§ 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37

CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE

MONTHS from the mailing date of this action. In the event a first reply is filed within

TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

9.   Any inquiry concerning this communication or earlier communications from the examiner should be directed to Asad M. Nawaz whose telephone number is (571) 272-3988. The examiner can normally be reached on M-F 8-4:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Saleh Najjar can be reached on (571) 272-4006. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

AMN

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